

AO 133 (Rev. 8/06) Bill of Costs

## UNITED STATES DISTRICT COURT

Northern District of Alabama

WALLACE MONTGOMERY, ET AL.

## BILL OF COSTS

V.

UNITED STATES OF AMERICA

Case Number: 2:06-cv-880-WKW

Judgment having been entered in the above entitled action on 6/23/2008 against United States of America,  
 the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ <u>401.00</u>
Fees for service of summons and subpoena .....	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case .....	<u>4,992.89</u>
Fees and disbursements for printing .....	<u>1,864.42</u>
Fees for witnesses (itemize on page two) .....	<u>103.18</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	<u>798.12</u>
Docket fees under 28 U.S.C. 1923 .....	_____
Costs as shown on Mandate of Court of Appeals .....	_____
Compensation of court-appointed experts .....	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	_____
Other costs (please itemize) .....	_____
TOTAL	\$ <u>8,159.61</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☒ Electronic service by e-mail as set forth below and/or.  
☐ Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: J. Callen SparrowName of Attorney: J. Callen SparrowFor: Wallace Montgomery and Phyllis MontgomeryDate: 7/23/2008

Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

Date

**WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

"Sec. 1924. Verification of bill of costs."

**See also Section 1920 of Title 28, which reads in part as follows:**

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**

Rule 54 (d)

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day’s notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

### Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>WALLACE MONTGOMERY,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>2:06-cv-880-WKW</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFFS', WALLACE MONTGOMERY  
AND PHYLLIS MONTGOMERY, BILL OF COSTS**

COME NOW Plaintiffs Wallace Montgomery and Phyllis Montgomery, by and through counsel, and hereby submit their Bill of Costs pursuant to 28 U.S.C. § 1920 and this Court's Final Judgment entered June 23, 2008. Attached hereto is the Bill of Costs form AO 133, executed by the law firm Heninger Garrison Davis, LLC, along with their corresponding itemizations of costs and supporting documentation.

Plaintiffs Wallace Montgomery and Phyllis Montgomery submit the following total costs in the above-styled cause:

Fees of the Clerk (Attachment A).....	\$401.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in this case (Attachment B) .....	\$4,992.89

Fees and disbursements for printing (Attachment C).....\$1,864.42

In-house copies .... \$ 685.05

Out-source copies .... \$ 1,179.37

Fees for witnesses (Attachment D) .....\$103.18

Fees for exemplification and copies of  
papers (medical records) necessarily obtained for  
use in this case (Attachment E).....\$798.12

In determining the amounts claimed in this Bill of Costs, Plaintiffs sought to remove those costs that could have been viewed as costs incurred for the convenience of counsel, even though such costs were necessary to provide full, fair and efficient representation in this case.

With regard to the fees of the Clerk, Plaintiffs claim costs for filing. Filing costs for Plaintiffs Wallace and Phyllis Montgomery was \$401.00.

With regard to the fees of the court reporter, Plaintiffs claim costs for charges related to the court reporter's per diem, the transcripts, and exhibits.

With regard to the printing fees, Plaintiffs claim those fees incurred, in-house as well as outsourced, to print all the pleadings and motions filed in the action, medical records for the benefit of Defendant, and all the exhibits on Plaintiffs' and Defendant's exhibit lists. The in-house paper count was 4,567. Plaintiffs' firm charges \$0.30 for regular in-house printing, Plaintiffs voluntarily reduce said amount to \$0.15 per page as a goodwill gesture.

With regard to fees claimed for witnesses, Plaintiffs claim the amount allowed pursuant to 28 U.S.C. § 1821.

With regard to fees for exemplification and copies of papers necessarily obtained for use in the case, Plaintiffs claim costs related to obtaining medical records from their medical care providers.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request the Court enter an order awarding Plaintiffs costs in the above-styled cause in the sum of sixteen thousand, nine hundred sixty-two dollars, and forty-seven cents (\$8,214.93).

Respectfully submitted,

s/ J. CALLEN SPARROW

J. Callen Sparrow (ASB-4515-R79J)  
Attorney for the Montgomery Plaintiffs

OF COUNSEL:

HENINGER GARRISON DAVIS, LLC  
P. O. Box 11310 (35202)  
2224 1st Avenue North  
Birmingham, AL 35203  
Telephone: (205)326-3336  
Facsimile: (205)326-3332  
E-mail: [jcsparrow@hgdllawfirm.com](mailto:jcsparrow@hgdllawfirm.com)

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of July 2008, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties:

Conor Kells  
Gail K. Johnson  
Trial Attorney, Torts Branch  
Civil Division  
U.S. Department of Justice  
Benjamin Franklin Station  
Post Office Box 888  
Washington, DC 20044

Attorney for Defendant, United States of America

s/ J. CALLEN SPARROW

J. Callen Sparrow (ASB-4515-R79J)  
Attorney for the Montgomery Plaintiffs

# ATTACHMENT “A”

MELISSA RITTENOUR, CLERK OF THE COURT

Check Number: 15366

Check Date: Aug 26, 2005

Check Amount: \$401.00

Item to be Paid - Description

Discount Taken

Amount Paid

FILING FEE

401.00

GARRISON SCOTT, P.C.  
BUSINESS ACCOUNT  
2224 1ST AVENUE NORTH  
BIRMINGHAM, AL 35203  
PH 205-326-3336

BANK OF ALABAMA  
BIRMINGHAM, AL 35209

61-409/620 15366

DATE

Aug 26, 2005

AMOUNT

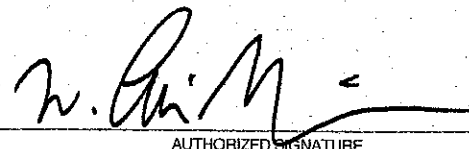
Memo: FILING FEE

\$ \*\*\*\*\*\$401.00

PAY  
TO THE  
ORDER  
OF:

Four Hundred One and 00/100 Dollars

MELISSA RITTENOUR, CLERK OF THE COURT  
MONTGOMERY COUNTY CIRCUIT  
COURT



AUTHORIZED SIGNATURE

⑈015366⑈ ⑆062004099⑆ ⑈03 0169 7⑈

GARRISON SCOTT, P.C./BUSINESS ACCOUNT

15366



# ATTACHMENT “B”

04-106  
✓

**FREEDOM REPORTING, INC.**

367 Valley Avenue - Birmingham, AL 35209

Toll Free: 1-877-373-3660

205-397-2397 Fax: 205-397-2398

www.freedomreporting.com

Tax ID Number: 20-2776665

J Callen Sparrow  
Heninger, Garrison & Davis  
2224 First Avenue North  
Birmingham, AL 35203

August 16, 2007

**Invoice#** 00031527

**Balance:** \$254.85

**Re:** Wallace Montgomery, et al. vs. United States of America  
Bertha Gordon Moore / CV2:06-cv-879-WKW  
on 08/07/07 Billed 08/16/07  
by Angela Smith McGalliard

**POSTED**  
**Invoicing Information**

<u>Charge Description</u>	<u>Amount</u>
Per Diem: 1/2 day	60.00
Original & copy: 55 pages	167.75
Exhibits/B & W: 6 pages	2.10
Condensed/concordance(s):	10.00
Depo Disk:	15.00

Deponent:  
Bertha Moore  
Read & Sign: c/o Steve Doyle  
U.S. Attorney's Office

**P l e a s e   R e m i t   - - - >   T o t a l   D u e :   \$254.85**

*All Invoices are due within 30 days of receipt*

04-106

**FREEDOM REPORTING, INC.**

367 Valley Avenue - Birmingham, AL 35209

Toll Free: 1-877-373-3660

205-397-2397 Fax: 205-397-2398

www.freedomreporting.com

Tax ID Number: 20-2776665

✓

J Callen Sparrow  
Heninger, Garrison & Davis  
2224 First Avenue North  
Birmingham, AL 35203

November 12, 2007

**Invoice#** 00043722

**Balance:** \$1,408.75

**Re:** Wallace Montgomery, et al. v. United States of America  
GA, Conyers / CV-2:06-CV-880-WKW / Ralph Cunningham  
on 11/09/07  
by Cindy G Jenkins

**Invoicing Information**

<u>Charge Description</u>	<u>Amount</u>
Per Diem: 1 Day (Georgia Rate)	140.00
Original & copy: 146 pages (1 Day Georgia RUSH)	1,124.20
Exhibits/B & W: 213	74.55
Exhibits/Color: 30	45.00
Condensed/concordance(s): 1	10.00
Depo Disk: 1	15.00

Deponent: Ralph Cunningham

\*Read & Sign sent to Ralph Cunningham  
C/O U.S. Dept. of Justice, Torts Branch  
Civil Division; ATTENTION: CONOR KELLS  
1331 Pennsylvania Avenue N.W.  
Washington, D.C. 20004

**RUSH**

**Please Remit - - - > Total Due: \$1,408.75**

*All Invoices are due within 30 days of receipt*

04-106



**FREEDOM REPORTING, INC.**

367 Valley Avenue - Birmingham, AL 35209

Toll Free: 1-877-373-3660

205-397-2397 Fax: 205-397-2398

www.freedomreporting.com

Tax ID Number: 20-2776665

J Callen Sparrow  
Heninger, Garrison & Davis  
2224 First Avenue North  
Birmingham, AL 35203

December 10, 2007

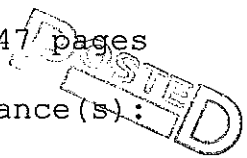
**Invoice#** 00045402

**Balance:** \$348.40

**Re:** Wallace Montgomery, et al. vs. United States of America  
GA, Atlanta/ C. Richard Cummings, Jr., M.D. /2:06-CV-879-WKW  
on 11/08/07  
by Cindy G Jenkins

***Invoicing Information***

<u>Charge Description</u>	<u>Amount</u>
Per Diem: 1	140.00
Original & copy: 47 pages	180.95
Exhibits/B & W: 7	2.45
Condensed/concordance(s):	10.00
Depo Disk:	15.00



Deponent: Richard Cummings, Jr., M.D.

\*Taken in & billed at Georgia rates\*

**P l e a s e   R e m i t   - - - >   T o t a l   D u e :   \$ 3 4 8 . 4 0**

*All Invoices are due within 30 days of receipt*

04-106

**FREEDOM REPORTING, INC.**

367 Valley Avenue - Birmingham, AL 35209

Toll Free: 1-877-373-3660

205-397-2397 Fax: 205-397-2398

www.freedomreporting.com

Tax ID Number: 20-2776665

✓

J Callen Sparrow  
Heninger, Garrison & Davis  
2224 First Avenue North  
Birmingham, AL 35203

December 31, 2007

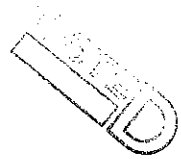
Invoice# 00045521

Balance: \$748.90

Re: Michael Allen vs. United States of America  
Phyllis Montgomery/Wallace Montgomery  
on 12/11/07  
by Cindy G Jenkins

***Invoicing Information***

<u>Charge Description</u>	<u>Amount</u>
Copy: 230 pages	701.50
Exhibits/B & W: 4	1.40
Exhibits/Color: 14	21.00
Condensed/concordance(s):	10.00
Depo Disk:	15.00



Deponents:  
Phyllis Montgomery-106 pgs./4 B&W, 9 Color ex.  
Wallace Montgomery-124 pag./5 Color ex.

\*Georgia Rates\*

Please Remit - - - &gt; Total Due: \$748.90

All Invoices are due within 30 days of receipt

04-106  
✓**FREEDOM REPORTING, INC.**

367 Valley Avenue - Birmingham, AL 35209

Toll Free: 1-877-373-3660

205-397-2397 Fax: 205-397-2398

www.freedomreporting.com

Tax ID Number: 20-2776665

J Callen Sparrow  
Heninger, Garrison & Davis  
2224 First Avenue North  
Birmingham, AL 35203

January 4, 2008

Invoice# OS045659

Balance: \$469.40

Re: Wallace Montgomery, et al. vs. United States  
GA, Roswell / Dr. David Covall / 2:06-CV-880-WKW  
on 12/07/07

**Invoicing Information**

<u>Charge Description</u>	<u>Amount</u>
Per Diem:	62.50
Original & Copy: 88 pages	360.80
Exhibits/B & W: 56	19.60
Exhibits/Color: 1	1.50
Condensed/concordance(s):	10.00
Depo Disk:	15.00

POSTED

Deponent: David Covall, M.D.

\*\*Taken in Roswell, GA.\*\*

Please Remit - - - &gt; Total Due: \$469.40

All Invoices are due within 30 days of receipt

04-106

KENNEDY REPORTING SERVICES  
205 North 20<sup>th</sup> Street  
Suite 408  
BIRMINGHAM, ALABAMA 35203-4704  
205-251-2427

✓

Mr. J. Callen Sparrow  
Heninger Garrison Davis, L.L.C.  
2224 First Avenue North  
Birmingham, Alabama 35203

Invoice No. 01-08-005

Date: January 5, 2008

Tax ID: 420-74-3352

---

In Re: Michael Allen vs. Unites States of America Case No. 2:06-cv-879-WKW

For: Depositions of: Peter Flanner and Clifford Posser

Appearance Date: 11-13-07 day(s) per diem@ \$          \$         

Transcript: Original and one copy          pages@ \$         

Carbon copy only 245 pages@ \$ 2.25 551.25

Exhibit Photocopies:          216.00

Postage and Handling:          35.75

Other charges: 250 color copies @1.00 250.00

Reported by: Keith Kennedy

Total \$ 1053.00

Thank you

04-106

**INVOICE**

National Court Reporting  
367 Valley Avenue  
Birmingham, AL 35209  
Phone:205-252-6205 Fax:205-252-6392

J. Callen Sparrow  
Heninger, Garrison, Davis, LLC  
2224 First Avenue North  
Birmingham, AL 35202

Invoice No.	Invoice Date	Job No.
6568	2/7/2008	3625
Job Date	Case No.	
2/5/2008	2:06-CV-879-WKW 2:06-CV-880-WKW	
Case Name		
Michael Allen, Wallace Montgomery, et al. vs. United States of America		
Payment Terms		
Due upon receipt		

## ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Dr. Thomas Moore	52.00 Pages	301.60
2-Day Expedite		271.44
Half Day Per Diem		60.00
Condensed/Concordance		0.00
Depo Disk		0.00
Hand Delivered		10.50
<b>TOTAL DUE &gt;&gt;&gt;</b>		<b>\$643.54</b>

Reporter: Chip Parker  
Invoiced at 2-day expedited rates.

Thank you for choosing Freedom ~ WE APPRECIATE YOUR BUSINESS! Invoice due within 30 days of receipt. Interest will accrue at 6% annually on unpaid balance after 90 days.

**Tax ID:** 631224891

*Please detach bottom portion and return with payment.*



**INVOICE**

National Court Reporting  
367 Valley Avenue  
Birmingham, AL 35209  
Phone: 205-252-6205 Fax: 205-252-6392

Invoice No.	Invoice Date	Job No.
7600	2/21/2008	4438
Job Date	Case No.	
2/14/2008	2:06-CV-879-WKW 2:06-CV-880-WKW	
Case Name		
Michael Allen, Wallace Montgomery, et al. vs. United States of America		
Payment Terms		
Due upon receipt		

J. Callen Sparrow  
Heninger, Garrison, Davis, LLC  
2224 First Avenue North  
Birmingham, AL 35202

**1 COPY OF TRANSCRIPT OF:**

Dr. Keith Weaver-20

Exhibit

Condensed/Concordance

Depo Disk

Hand Delivered

20.00 Pages	42.00
3.00 Pages	1.05
	8.00
	15.00
	0.00

**TOTAL DUE >>>****\$66.05**

Reporter: Becky Harris

Thank you for choosing Freedom ~ WE APPRECIATE YOUR BUSINESS! Invoice due within 30 days of receipt. Interest will accrue at 6% annually on unpaid balance after 90 days.

**PAID****Tax ID:** 631224891*Please detach bottom section and return with payment.*

# ATTACHMENT “C”

**EQUITRAC**

7/22/2008

## Detailed Activity

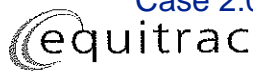
*for Billing Accounts with Print Details*

04106		Montgomery v. United States				
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12/5/2004 05:56 PM	ld090		Copying	2 x Ltr	2	0.60
12/20/2004 08:24 AM	ld090		Copying	1 x Ltr	1	0.30
12/30/2004 10:56 AM	ld090		Copying	4 x Ltr	4	1.20
1/18/2005 03:05 PM	ld090		Copying	6 x Ltr	6	1.80
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2/3/2005 08:48 AM	ld090		Copying	4 x Ltr	4	1.20
2/4/2005 11:17 AM	ld090		Copying	2 x Ltr	2	0.60
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5/31/2006 03:24 PM	ld032c		Copying	2 x Ltr	2	0.60
8/23/2006 05:17 PM	ld090		Copying	13 x Ltr	13	3.90
2/9/2007 03:38 PM	ld090		Copying	256 x Ltr	256	76.80
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7/5/2007 04:09 PM	ld090		Copying	197 x Ltr	197	59.10
7/5/2007 04:13 PM	ld090		Copying	1 x Ltr	1	0.30
7/18/2007 03:30 PM	ld090		Copying	205 x Ltr	205	61.50
7/18/2007 03:42 PM	ld090		Copying	125 x Ltr	125	37.50
7/18/2007 03:46 PM	ld090		Copying	16 x Ltr	16	4.80
7/18/2007 03:54 PM	ld090		Copying	4 x Ltr	4	1.20
7/25/2007 10:10 AM	ld090		Copying	28 x Ltr	28	8.40
8/6/2007 01:48 PM	ld090		Copying	3 x Ltr	3	0.90
8/9/2007 03:54 PM	ld090		Copying	1 x Ltr	1	0.30
8/16/2007 04:22 PM	ld090		Copying	3 x Ltr	3	0.90
8/20/2007 04:47 PM	ld435c		Copying	12 x Ltr	12	3.60
9/6/2007 01:42 PM	ld435c		Copying	3 x Ltr	3	0.90
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9/10/2007 04:25 PM	ld435c		Copying	14 x Ltr	14	4.20
9/12/2007 04:46 PM	ld435c		Copying	18 x Ltr	18	5.40
9/12/2007 05:07 PM	ld090		Copying	1 x Ltr	1	0.30
9/24/2007 02:05 PM	ld435c		Copying	7 x Ltr	7	2.10
10/24/2007 04:27 PM	ld090		Copying	30 x Ltr	30	9.00
10/24/2007 04:28 PM	ld435c		Copying	15 x Ltr	15	4.50

7/22/2008

Page 2 of 2

04106		Montgomery v. United States				
Date	Printer	User ID	Description	Print Details	Pages	Cost
(continued)						
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10/29/2007 05:36 PM	ld090		Copying	18 x Ltr	18	5.40
10/31/2007 03:41 PM	ld435c		Copying	118 x Ltr	118	35.40
11/1/2007 04:40 PM	ld090		Copying	4 x Ltr	4	1.20
11/2/2007 10:40 AM	ld090		Copying	12 x Ltr	12	3.60
11/7/2007 09:54 AM	ld090		Copying	5 x Ltr	5	1.50
11/7/2007 11:08 AM	ld435c		Copying	15 x Ltr	15	4.50
11/7/2007 11:09 AM	ld090		Copying	26 x Ltr	26	7.80
11/7/2007 11:25 AM	ld090		Copying	9 x Ltr	9	2.70
11/7/2007 11:38 AM	ld090		Copying	257 x Ltr	257	77.10
11/7/2007 11:41 AM	ld435c		Copying	6 x Ltr	6	1.80
11/7/2007 11:48 AM	ld090		Copying	43 x Ltr	43	12.90
11/7/2007 12:04 PM	ld435c		Copying	5 x Ltr	5	1.50
11/7/2007 12:10 PM	ld090		Copying	32 x Ltr	32	9.60
11/7/2007 12:12 PM	ld435c		Copying	3 x Ltr	3	0.90
11/7/2007 02:10 PM	ld090		Copying	52 x Ltr	52	15.60
11/7/2007 02:57 PM	ld090		Copying	57 x Ltr	57	17.10
11/7/2007 04:49 PM	ld435c		Copying	41 x Ltr	41	12.30
11/13/2007 01:41 PM	ld090		Copying	25 x Ltr	25	7.50
					<b>2,550</b>	<b>\$765.00</b>



## Copy By Account Detail

hgdlawfirm.com

Billing codes='4106'

Starting Date: 12/10/2007

Ending Date: 3/14/2008

Number of Days:

96

Date	Time	User Code	User	Count	Amount
Location: bir:Birmingham, AL					
Billing codes: 4106: Montgomery v. United States					
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Description:					
12/19/2007	2:24:45PM	999	equitrac	2	\$0.60
Description:					
1/3/2008	3:54:42PM	999	equitrac	107	\$32.10
Description:					
1/7/2008	2:07:31PM	999	equitrac	2	\$0.60
Description:					
1/16/2008	10:45:13AM	999	equitrac	91	\$27.30
Description:					
1/16/2008	11:16:17AM	999	equitrac	1	\$0.45
Description:					
1/17/2008	4:10:04PM	999	equitrac	9	\$2.70
Description:					
1/28/2008	4:13:42PM	999	equitrac	56	\$16.80
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1/31/2008	12:44:34PM	999	equitrac	36	\$10.80
Description:					
1/31/2008	12:46:31PM	999	equitrac	44	\$19.80
Description:					
1/31/2008	12:50:41PM	999	equitrac	133	\$39.90
Description:					
1/31/2008	12:52:40PM	999	equitrac	28	\$12.60
Description:					
1/31/2008	2:05:31PM	999	equitrac	1	\$0.30
Description:					
2/1/2008	2:01:39PM	999	equitrac	11	\$4.95
Description:					
2/1/2008	2:01:44PM	999	equitrac	7	\$2.10
Description:					
2/1/2008	2:11:41PM	999	equitrac	10	\$3.00
Description:					
2/1/2008	2:27:12PM	999	equitrac	3	\$0.90
Description:					
2/1/2008	2:40:31PM	999	equitrac	149	\$44.70
Description:					
2/1/2008	3:39:38PM	999	equitrac	2	\$0.90
Description:					
2/4/2008	9:13:01AM	999	equitrac	119	\$35.70
Description:					
2/4/2008	9:19:38AM	999	equitrac	44	\$19.80
Description:					
2/4/2008	9:25:06AM	999	equitrac	20	\$6.00
Description:					
2/4/2008	9:26:43AM	999	equitrac	26	\$11.70
Description:					
2/4/2008	9:32:14AM	999	equitrac	55	\$16.50
Description:					
2/4/2008	9:34:23AM	999	equitrac	58	\$17.40
Description:					

Copy By Account Detail

hgdllawfirm.com

Billing codes='4106'

Starting Date: 12/10/2007 Ending Date: 3/14/2008 Number of Days: 96

Date	Time	User Code	User	Count	Amount
Location: bir:Birmingham, AL					
Billing codes: 4106: Montgomery v. United States					
2/4/2008	11:18:23AM	999	equitrac	1	\$0.45
Description:					
2/4/2008	11:27:26AM	999	equitrac	48	\$21.60
Description:					
2/4/2008	11:38:30AM	999	equitrac	5	\$2.25
Description:					
2/13/2008	9:00:04AM	999	equitrac	3	\$1.35
Description:					
2/18/2008	3:55:07PM	999	equitrac	3	\$0.90
Description:					
2/20/2008	1:46:06PM	999	equitrac	1	\$0.30
Description:					
2/20/2008	1:49:28PM	999	equitrac	1	\$0.30
Description:					
2/20/2008	1:51:56PM	999	equitrac	12	\$3.60
Description:					
2/20/2008	1:57:11PM	999	equitrac	27	\$8.10
Description:					
2/20/2008	2:13:52PM	999	equitrac	24	\$7.20
Description:					
2/20/2008	2:24:56PM	999	equitrac	10	\$3.00
Description:					
2/20/2008	2:33:13PM	999	equitrac	150	\$45.00
Description:					
2/20/2008	2:41:19PM	999	equitrac	18	\$5.40
Description:					
2/20/2008	4:08:59PM	999	equitrac	54	\$16.20
Description:					
2/20/2008	4:12:00PM	999	equitrac	91	\$27.30
Description:					
2/20/2008	4:42:40PM	999	equitrac	82	\$24.60
Description:					
2/21/2008	10:21:49AM	999	equitrac	166	\$49.80
Description:					
2/21/2008	10:35:19AM	999	equitrac	10	\$3.00
Description:					
2/21/2008	10:39:13AM	999	equitrac	8	\$2.40
Description:					
2/21/2008	11:03:09AM	999	equitrac	3	\$0.90
Description:					
2/21/2008	11:10:14AM	999	equitrac	6	\$1.80
Description:					
2/21/2008	1:33:24PM	999	equitrac	1	\$0.30
Description:					
2/21/2008	2:16:54PM	999	equitrac	3	\$0.90
Description:					
2/21/2008	2:25:22PM	999	equitrac	75	\$22.50
Description:					
2/21/2008	2:40:44PM	999	equitrac	4	\$1.20
Description:					
2/21/2008	3:08:02PM	999	equitrac	1	\$0.30
Description:					

Copy By Account Detail

hgdllawfirm.com

Billing codes='4106'

Starting Date: 12/10/2007 Ending Date: 3/14/2008 Number of Days: 96

<u>Date</u>	<u>Time</u>	<u>User Code</u>	<u>User</u>	<u>Count</u>	<u>Amount</u>
Location: bir:Birmingham, AL					
Billing codes: 4106: Montgomery v. United States					
2/21/2008	4:54:04PM	999	equitrac	12	\$3.60
Description:					
2/21/2008	5:17:55PM	999	equitrac	1	\$0.45
Description:					
2/22/2008	11:36:16AM	999	equitrac	120	\$36.00
Description:					
2/22/2008	12:07:47PM	999	equitrac	40	\$12.00
Description:					
3/14/2008	5:56:29PM	999	equitrac	5	\$1.50
Description:					
Totals for Billing codes: 4106				2,017	\$639.00
Totals for Location: bir				2,017	\$639.00

Cory, Watson, Crowder &amp; DeGaris, P.C.

Check Number: 6761

Check Date: Feb 29, 2008

Check Amount: \$1,137.56

Item to be Paid - Description	Discount Taken	Amount Paid
Reimbursement of Exhibit Expenses		1,137.56

HENINGER GARRISON DAVIS, LLC  
BUSINESS ACCOUNT  
2224 1ST AVENUE NORTH  
BIRMINGHAM, AL 35203  
PH 205-326-3336

CAPTIALSOUTH BANK  
BIRMINGHAM, AL 35209

61-409/620

DATE

Feb 29, 2008

AMOUNT

Memo: Reimbursement for Expenses

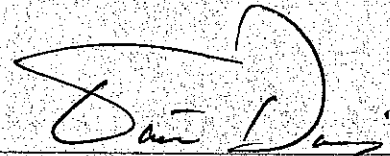
\$ 1137.56

PAY One Thousand One Hundred Thirty-Seven and 56/100 Dollars

TO THE  
ORDER  
OF:

Cory, Watson, Crowder & DeGaris, P.C.  
2131 Magnolia Avenue  
Birmingham, AL 35205

VOID AFTER 90 DAYS



AUTHORIZED SIGNATURE

⑈006761⑈ ⑆062004099⑆ ⑈03 1631 5⑈

HENINGER GARRISON DAVIS, LLC / BUSINESS ACCOUNT

6761



SOURCE ONE LEGAL COPY, INC.

205 LAND TITLE BUILDING  
600 NORTH 20TH STREET  
BIRMINGHAM, AL 35203  
205-326-3033

**Invoice**

DATE	INVOICE NO.
2/25/2008	2801674SO

BILL TO

MICHELLE LITTLE  
CORY, WATSON, CROWDER & DEGARIS  
2131 MAGNOLIA AVENUE  
BIRMINGHAM, AL 35205

			TERMS
			Net 30
DESCRIPTION	QTY	RATE	AMOUNT
RE: 23-0200			
JOB NO.: 2-23.18			
HAND FED COPYING	14,567	0.1075	1,565.95T
COLOR COPIES	973	0.55	535.15T
3" THREE-RING BINDING	7	10.00	70.00T
5" THREE-RING BINDING	14	25.00	350.00T
NUMBER TABS	455	0.28	127.40T
SALES TAX		10.00%	264.85
FEDERAL TAX ID #		<b>Total</b>	
63-1199268		\$2,913.35	


**FOCUS DOCUMENT SERVICES, INC.****Invoice**

(205)252-7676  
 2006 2nd AVENUE NORTH  
 BIRMINGHAM, AL 35203

Date	Invoice #
2/4/2005	5347

<b>Bill To</b>
Warren Parrino Garrison, Scott, Gamble & Rosenthal, P.C. 2224 1st Ave. N. Birmingham, AL 35202

<b>Ship To</b>
Warren Parrino Garrison, Scott, Gamble & Rosenthal, P.C. 2224 1st Ave. N. Birmingham, AL 35202

P.O. Number		Terms	Rep	Due Date	Federal Tax ID #
04-106		Net 30	JT	3/6/2005	63-1268792
Quantity	Item Code	Description		Price Each	Amount
351	B Copies	Light litigation		0.105	36.86T
2	Color Copies	Color - 8.5 x 11		0.75	1.50T
		City of Birmingham Sales Tax		9.00%	3.45
					
It's been a pleasure working with you!				Total	\$41.81

# ATTACHMENT “D”

Robert Fisher

Check Number: 6401  
Check Date: Jan 22, 2008  
Check Amount: \$103.18

Item to be Paid - Description	Discount Taken	Amount Paid
Witness Fee		40.00
Mileage		63.18

**HENINGER GARRISON DAVIS, LLC**  
BUSINESS ACCOUNT  
2224 1ST AVENUE NORTH  
BIRMINGHAM, AL 35203  
PH 205-326-3336

**CAPTIALSOUTH BANK**  
BIRMINGHAM, AL 35209

61-409/620

DATE

Jan 22, 2008

AMOUNT

Memo: Witness Fee (04-106)

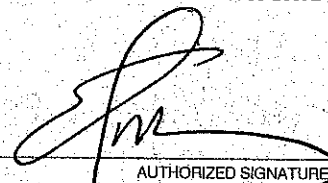
\$ 103.18

PAY TO THE  
ORDER  
OF:

One Hundred Three and 18/100 Dollars

Robert Fisher  
7993 East Emmett Avenue  
Brantley, AL 36009

VOID AFTER 90 DAYS

  
AUTHORIZED SIGNATURE

⑈006401⑈ ⑆062004099⑆ ⑈03 1631 5⑈

HENINGER GARRISON DAVIS, LLC / BUSINESS ACCOUNT

6401

# ATTACHMENT “E”



205 326 3332  
ATT: LISA MANN

**NORTHSIDE HOSPITAL - ATLANTA**  
**July 19, 2007**

HENINGER GARRISON DAVIS, LL - 35202  
P.O. BOX 11310

BIRMINGHAM AL 35202-

RE: NH 122715502 MONTGOMERY, WALLACE

Your request for medical information on the above named patient has been received. Please be advised that payment must be received prior to your request being processed.

The cost for processing your request is:

☒ Entire Chart \$58.19 ( ) Abstract: N/A

Please indicate your choice and return this letter with your check made payable to:

HIM Quality Solutions, Inc.  
Northside Hospital Atlanta Prepayments  
P.O. Box 1778  
Buford, GA 30515  
FEIN: 582375930

Sincerely,

Release of Information  
HIMQS for Northside Hospital  
404-851-8102

04-106

Prepayment

**NORTHSIDE HOSPITAL - ATLANTA**  
**July 05, 2007**

HENINGER GARRISON DAVIS, LL - 35202  
P.O. BOX 11310

BIRMINGHAM AL 35202-

RE: NHA 122715502 MONTGOMERY, WALLACE

Your request for medical information on the above named patient has been received. Please be advised that payment must be received prior to your request being processed.

The cost for processing your request is

(✓) Entire Chart

\$58.19

( ) Abstract:

N/A

Please indicate your choice and return this letter with your check made payable to:

HIM Quality Solutions, Inc.  
Northside Hospital Atlanta Prepayments  
P.O. Box 1778  
Buford, GA 30515  
FEIN: 582375930

Sincerely,

Release of Information  
HIMQS for Northside Hospital  
404-851-8102

04-106

✓

**Roswell Surgery Center**  
1285 Hembree Road, Suite 200C  
Roswell, Georgia 30076  
#770-772-5533  
770-772-5520 x 2

Date: 9/13/07

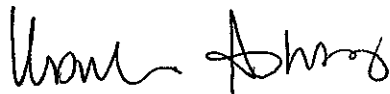
To Whom It May Concern:

Enclosed are the requested medical records for:

Wallace Montgomery

The **processing fee for these medical records is \$20.00**, payable to Roswell Surgery Center. Please do not hesitate to call with any questions.

Sincerely,



Ursula Ashby  
Medical Records  
Roswell Surgery Center



Check Number: 5959

Check Date: Nov 29, 2007

Check Amount: \$12.00

Item to be Paid - Description	Discount Taken	Amount Paid
X-ray Duplication for Wallace Montgomery		12.00

**HENINGER GARRISON DAVIS, LLC**  
BUSINESS ACCOUNT  
2224 1ST AVENUE NORTH  
BIRMINGHAM, AL 35203  
PH 205-326-3336

**CAPTIALSOUTH BANK**  
BIRMINGHAM, AL 35209

61-409/620

**5959**

DATE

Nov 29, 2007

Memo: X-ray Duplication

AMOUNT

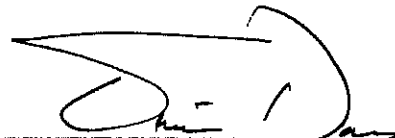
\$ 12.00

Twelve and 00/100 Dollars

PAY  
TO THE  
ORDER  
OF:

Norwood Clinic Radiology  
1528 Carraway Blvd.  
Birmingham, AL 35234

VOID AFTER 90 DAYS



AUTHORIZED SIGNATURE

⑈005959⑈ ⑆062004099⑆ ⑈03 1631 5⑈

HENINGER GARRISON DAVIS, LLC / BUSINESS ACCOUNT

**5959**

Myrtle E. Goore, M.D.  
7209 Copperfield Drive  
Montgomery, AL 36117  
Telephone (334) 244-1161  
Fax (334) 244-8772

04-106

✓

## INVOICE FOR MEDICAL RECORDS

DATE: 1/22/08  
Heninger Garrison Davis LLC  
P.O. BOX 11310  
Birmingham, AL 35202

Enclosed are the medical records you requested on Moore, Bertha

## Itemizations of Charges are as follows:

<u>25</u> Sheet 1 through 25 \$1.00 per page	\$ <u>25.00</u>
<u>22</u> Sheet 26 and up \$0.50 per page	\$ <u>11.00</u>
<u>t</u> Itemized Statement \$5.00 each	\$ <u>t</u>
<u>t</u> Completion of forms	\$ <u>t</u>
<u>t</u> Letter of Medical Opinion	\$ <u>t</u>
<u>1</u> faxing, postage, locating chart, staff time usage	\$ <u>5.00</u>

POSTED

The total cost for the enclosed medical records is \$ 41.00, please make your check payable to **Myrtle E. Goore, M.D** and mail to the address listed above. Our Federal Tax Identification # is 63-1002562.

If you have any questions are require any additional information you may contact me at the number listed above.

Sincerely,

Crystal Pfister  
Manager



04-106  
✓

HENINGER GARRISON DAVIS LLC  
224 1ST AVENUE NORTH  
BIRMINGHAM AL 35203

January 24, 2008  
TEL: 2053263336

REMIT PAYMENT TO:  
Baptist Hospital  
Attn: Medical Records Department  
P.O. Box 17804  
Pensacola, Fl 32522

\*WE NOW ACCEPT CREDIT CARD PAYMENTS\*

I N V O I C E no: 0801-517 01/24/2008

PATIENT NAME	MR NUMBER	DISCHARGE DATE	RECEIVED DATE	AMOUNT CHARGED	BALANCE
MOORE, BERTHA	000600695	09/02/2006	01/09/2008	10.60	10.60
PER PG ATTORNE	5 @	\$1.00	=	5.00	
RETRIEVAL ATTY	5 @	\$1.00	=	5.00	
POSTAGE	1 @	\$0.60	=	0.60	
TOTAL				\$10.60	\$10.60

Need  
ASAP  
Thanks, Lem

Wallace Montgomery  
vs USA

04-106

RESURGENS ORTHOPAEDICS  
INVOICE

Brown  
Gallo

Date: 12-11-07

Request:

Case # CV2:06-CV 880

RE: Wallace Montgomery

DOB:

SSN:

FEE: Administrative Cost \$ 24.86

Copy Charge ( 20 pgs.@ .93 ea 18.60

( 20 pgs.@.80 ea 16.00

CERTIFICATION FEE 8.50

POSTAGE

59.46

Total Charges

We must receive payment before records are sent.

Make checks payable to:

Resurgens Orthopaedics

1100 Northside Forsyth Drive

Suite 340

Cumming, GA 30041

Attn: Vickie Sargent

770/886-8111 (Office)

770/205-8539 (Fax)

TAX ID 581661116

Thank you,

POSTED

Approval: \_\_\_\_\_

04-106

December 1, 2004

Warren M Parrino  
Garrison/Scott  
P.O. Box 11310  
Birmingham, Alabama 35202

**RE: Wallace Montgomery**  
**ACCT # 17440**  
**BALANCE: \$ 00**

Dear Warren

Your request for medical records, narrative reports and/or special forms has been received by this office. **We will require a signed consent form by our patient.**

**Prior to your request being handled, full payment must be received. A letter of Protection of Capital City Orthopaedics of any outstanding balance is required for all requests.**

**Upon receipt of the above, your request will be handled promptly.**

Medical Records.....\$  
Narrative Report.....\$

Review Records &  
Special Forms.....\$200.00

Total Due.....\$

This office **does not** carry a balance pending Case Settlement and/or Litigation.

Any other arrangement must be discussed and approved by the Business Manager.

Yours truly,

Paula Rayl  
Patient Records

04-106

**RESURGENS ORTHOPAEDICS  
INVOICE**

**Date:** 02/03/05

**Request:** Garrison Scott, P.C.  
2224 1<sup>st</sup> Avenue North  
Birmingham, Alabama 35203

*Attn: Warren Parrino*

**RE:** Wallace Montgomery

**DOB:** 04/05/45 **SSN:** 262/78/5690

**FEE:** Administrative Cost \$ 200.00

We must receive payment before narrative is completed.

**Make checks payable to:**  
Resurgens Orthopaedics  
1100 Northside Forsyth Drive  
Suite 340  
Cumming, GA 30041  
Attn: Karen Lordo (Site Manager)  
770/886-8111 (Office)  
770/205-8539 (Fax)

*Thank you,*

**Approval:** \_\_\_\_\_

**RESURGENS ORTHOPAEDICS  
INVOICE**

04-106  
(Onepayment)

**Date:** 06-10-05

**Request:** GARRISON/SCOTT  
P.O. BOX 11310  
Birmingham Ala. 35202

**RE:** Wallace Montgomery  
**DOB:** 04/05/45  
**SSN:** 262-78-5600

A-4m Lisa  
mann

**FEE:** Administrative Cost \$ 22.78

Copy Charge (11pgs.@ .85 ea 9.35

Postage .60

**Total Charges 32.73**

**We must receive payment before records are sent.**

**Make checks payable to:**  
Resurgens Orthopaedics  
1100 Northside Forsyth Drive  
Suite 340  
Cumming, GA 30041  
Attn: Vickie Sargent  
770/886-8111 (Office)  
770/205-8539 (Fax)

*Thank you,*

**Approval:** \_\_\_\_\_

**LESLIE KELMAN M.D.**

Board Certified In Neurology

5671 Peachtree Dunwoody Road, Suite 620

Atlanta, Georgia 30342

TEL: (404) 843-9958 FAX: (404) 843-1883

Garrison Scott Atty

TAX ID 58-1997750

Date: 7-12-05

Re: Wallace Montgomery

DOR - 4-05-45

To whom it may concern,

We have received your request for copies of medical records for the above referenced patient.

Our office policy requires a \$75.00 prepayment for this service. This charge includes any or all of the services listed below:

- a record search fee
- a copy fee
- a notary fee
- a postage fee
- a processing fee

Once payment is received, along with a signed authorization dated within 90 days of your request for release of information or Request for Production Documents which includes the civil file case number. The records will be searched and copies mailed promptly. If records cannot be located we will notify you and return your payment.

Thanking you in advance for your cooperation.

Regards,

Medical Records Department

**\*\*PLEASE REMEMBER TO RETURN THE ORIGINAL REQUEST/AUTHORIZATION FORM, WHICH IS ATTACHED!\*\***



**Advanced Ear, Nose & Throat Associates, PC**

960 Johnson Ferry Rd, Suite 200

Atlanta, GA 30342

404-943-0900 • fax 404-943-1390

[www.advancedENTPC.com](http://www.advancedENTPC.com)

Tax ID #58-2600738

04-106  
Pre payment

Re: Wallace Montgomery

Our medical record charges are as follow

			Total
<input checked="" type="checkbox"/>	\$25.00	Administration Fee	<u>25<sup>00</sup></u>
<input type="checkbox"/>	\$7.50	Certification Fee	<u>          </u>
<input checked="" type="checkbox"/>	\$0.85	For each page numbered 1-20 <u>7</u> pages =	<u>5<sup>95</sup></u>
<input type="checkbox"/>	\$0.65	For each page numbered 21-100 <u>          </u> pages =	<u>          </u>
<input type="checkbox"/>	\$0.50	For each page numbered past 100 <u>          </u> pages =	<u>          </u>

Thank you for your business.

Your total cost is \$ 30<sup>95</sup>

\* We will not release records without a signed release form from the patient, along with payment in full. You can mail your payment, payable to Advanced ENT Associates, to the above address and attention "Medical Records".